



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**

**HEARING DATE:** June 24, 2010

**ITEM NO.:** 4

**TIME:** 10:45AM

**TO:** Placer County Planning Commission  
**FROM:** Crystal Jacobsen, Supervising Planner  
**DATE:** June 24, 2010  
**SUBJECT: ZONING TEXT AMENDMENT – (PZTAT20100164)**  
**MUNICIPAL ADVISORY COUNCILS (MAC)**  
**MAC Referral for County-Initiated ZTAs**

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**STAFF PLANNER:** Crystal Jacobsen

**LOCATION:** Countywide

**APPLICANT:** Placer County Planning Department

**PROPOSAL:** The Planning Department proposes amendments to the Placer County Zoning Ordinance Section 17.060.090 (B) (Chapter Plan Amendments and Rezoning), to require notification of all County-initiated Zoning Text Amendments to County Municipal Advisory Councils. Attachment A provides the proposed revisions to the Zoning Ordinance.

**CEQA COMPLIANCE:** The adoption and implementation of this ordinance is exempt from the provisions of the California Environmental Quality Act Guidelines per Section 15282 of the Guidelines. A recommended finding has been included for this purpose.

**PUBLIC NOTICES AND REFERRAL FOR COMMENTS:** A legal notice was published in the Sacramento Bee newspaper. Other appropriate public interest groups and citizens were sent copies of the public hearing notice.

**BACKGROUND:**

The Board of Supervisors established MACs throughout the unincorporated areas of Placer County, beginning with the Sheridan MAC which was created in 1978. Since that time, the Board has established 13 MACs, including North Tahoe, Squaw Valley, Weimar-Applegate-Colfax, Meadow Vista, Foresthill, North Auburn, Newcastle-Ophir, Penryn, Horseshoe Bar, Rural Lincoln, Granite Bay, West Placer, and Sheridan.

At a January 26, 2010 Board of Supervisors hearing, the Planning Department provided the Board with a General Fund Work Program update, which included discussion regarding some County-initiated planning projects/programs that are typically not presented before MACs prior to the Board's consideration. At this hearing the Board expressed a desire for a couple of such projects to be presented to County MACs. In addition, the Board directed staff to provide a report to the Planning Commission, clarifying the MACs planning process responsibilities and to have the Commission consider a modified process for notification to the MACs when a County-initiated project/program is proposed.

Staff reported to the Planning Commission at its April 8, 2010 hearing regarding the MAC planning process. The Commission heard testimony from the public and various County staff and MAC members, and directed staff to explore a modification to the Zoning Ordinance to provide a notification process in which County-initiated ZTAs may be presented to MACs. In addition, the Commission expressed concern with the type and overall timing of the notification, indicating their desire to include a requirement for electronic notification to MACs, and to include a 60-day timeframe for which staff has to notify the MACs prior to a hearing on ZTA projects.

Accordingly, as directed by the Board of Supervisors at its January 26, 2010 hearing, and as recommended by the Planning Commission at its April 8, 2010 hearing, staff has prepared this Zoning Text Amendment (ZTA) to Section 17.60.090 (B) (Chapter Plan Amendments and Rezoning) of the Placer County Zoning Ordinance. The proposed ZTA includes the incorporation of a new sub-section under Section 17.60.090 (B), which will address the referral of all County-initiated ZTAs to all MACs. Upon review of the proposed ZTA, should the Planning Commission desire, staff will bring forward the Commission's recommendation and/or comments on the ZTA to the Board of Supervisors for their consideration.

**DISCUSSION OF ISSUES****Current MAC Process for County-Initiated Zoning Text Amendments (ZTAs)**

Proposed changes to the County's Zoning Ordinance are largely initiated by the County, and in some cases, the amendments are a result of public interest. While all County initiated Zoning Text Amendments (ZTAs) are heard by the Planning Commission, the County's MAC Handbook does not require that such projects undergo MAC review. In addition, it has not been the policy of the Planning Department to present County initiated ZTAs at MAC meetings. However, the Planning Department provides notification to the MACs for all projects that are scheduled for a Planning Commission or Board hearings. Furthermore, upon request of the Board or direction from the Planning Commission, the Planning Department will present specific County initiated ZTAs before the MACs for their consideration.

### Summary of Proposed Amendment

In response to the Board's direction at its January 26, 2010 hearing, as well as the Planning Commission's recommendation at its April 8, 2010 hearing, staff has prepared a modification to Section 17.60.090 (B) of the Placer County Zoning Ordinance. The proposed Zoning Text Amendment language is provided in Attachment A and is presented below. The Zoning Ordinance language proposed to be amended is shown as underlined.

Subsection (B) of Section 17.60.090 of Article 17.60 of Chapter 17 of the Placer County Code:

#### **B. Notice to Municipal Advisory Councils/Planning Commission Hearing.**

**1. Notice of any proposed amendment to the text of this Chapter 17 that is initiated by the County and that is not associated with an application for a private project shall be provided to all of the municipal advisory councils in accordance with this subsection (1). At least sixty (60) days prior to the date the proposed amendment is scheduled to be heard by the Planning Commission, the planning director or his/her designee shall provide notification in writing and/or electronically to the chair and/or secretary of each municipal advisory council, describe the proposed amendment and offer to present it to the municipal advisory council for its review and comment. The chair may request that the proposed amendment be reviewed by the municipal advisory council by contacting the planning department within fifteen (15) days, or as soon as possible after receipt of the information, and the proposed amendment shall be scheduled for review and comment by the municipal advisory council as soon as feasible thereafter. No zoning text amendment proposed by the County shall be invalid in the event it is not, for any reason, reviewed by a municipal advisory council prior to its hearing by the planning commission.**

**2. After any review has been completed as provided by subsection (1), above, and after** the completion of any environmental documents and public review periods required by the California Environmental Quality Act (CEQA) and the completion of a planning department staff report, the planning commission will provide notice and hold a public hearing pursuant to Section 17.60.140. The purpose of the hearing shall be to receive testimony from persons interested in the proposed amendment, to consider the recommendations of the agency director, planning director and/or the development review committee, and to adopt a recommendation to the board of supervisors.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission make the following findings and forward a recommendation for a Zoning Text Amendment to Section 17.60.090 (B) to the Board of Supervisors, as set forth in Attachment A of this report.

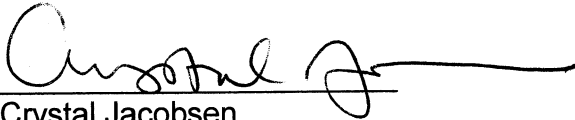
#### **CEQA:**

1. The adoption and implementation of this Zoning Text Amendment is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed amendment relates to an administrative process and will have no environmental impact.

Zoning Text Amendments:

2. The Zoning Text Amendment is consistent with the Placer County General Plan.

Respectfully submitted,



Crystal Jacobsen  
Supervising Planner

**ATTACHMENTS:**

Attachment A – Proposed Zoning Text Amendment (Zoning Ordinance Section 17.060.090 [B])

cc:

Michael Johnson– CDRA Director  
Paul Thompson- Deputy Planning Director  
Loren Clark - Deputy Planning Director  
Scott Finley - County Counsel  
Karin Schwab - County Counsel  
Richard Eiri - Engineering and Surveying Division  
Jill Pahl - Environmental Health Services  
All MAC's  
Subject/chrono files

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# Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE  
AMENDING SECTION 17.60.090(B) IN  
CHAPTER 17 OF THE PLACER  
COUNTY CODE RELATING TO  
ZONING TEXT AMENDMENTS

Ord. No. \_\_\_\_\_

First Reading: \_\_\_\_\_

The following ordinance was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_, 2010, by  
the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Kirk Uhler  
Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Ann Holman  
Clerk of said Board

\_\_\_\_\_  
THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF  
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1:** Subsection (B) of Section 17.60.090 (B) of Article 17.60 of Chapter 17 of  
the Placer County Code is hereby amended to read as follows:

B. Notice to Municipal Advisory Councils/Planning Commission Hearing.

1. Notice of any proposed amendment to the text of this Chapter 17 that is  
initiated by the County and that is not associated with an application for a private  
project shall be provided to all of the municipal advisory councils in accordance

**with this subsection (1). At least sixty (60) days prior to the date the proposed amendment is scheduled to be heard by the Planning Commission, the planning director or his/her designee shall provide notification in writing and/or electronically to the chair and/or secretary of each municipal advisory council, describe the proposed amendment and offer to present it to the municipal advisory council for its review and comment. The chair may request that the proposed amendment be reviewed by the municipal advisory council by contacting the planning department within fifteen (15) days, or as soon as possible after receipt of the information, and the proposed amendment shall be scheduled for review and comment by the municipal advisory council as soon as feasible thereafter. No zoning text amendment proposed by the County shall be invalid in the event it is not, for any reason, reviewed by a municipal advisory council prior to its hearing by the planning commission.**

**2. After any review has been completed as provided by subsection (1), above, and after** the completion of any environmental documents and public review periods required by the California Environmental Quality Act (CEQA) and the completion of a planning department staff report, the planning commission will provide notice and hold a public hearing pursuant to Section 17.60.140. The purpose of the hearing shall be to receive testimony from persons interested in the proposed amendment, to consider the recommendations of the agency director, planning director and/or the development review committee, and to adopt a recommendation to the board of supervisors.

**Section 7:** This ordinance shall take effect and be in full force and effect upon thirty (30) days after its passage. The Clerk is directed to publish a summary of this ordinance within fifteen (15) days in accordance with Government Code Section 25124.